

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Albert Balagso

**SUBJECT:** SEE BELOW

**DATE:** 03-28-06

Approved

Date 3/29/06

**COUNCIL DISTRICT:** 3  
**SNI AREA:** N/A

**SUBJECT: FILIPINO-AMERICAN SOCIAL OPPORTUNITIES DEVELOPMENT  
COUNCIL (Fil-Am SODC) AGREEMENT**

## RECOMMENDATION

1. Provide direction to staff regarding the operations and services by the City and Filipino-American Social Opportunities Development Council (Fil-Am SODC) at the Center for the remainder of FY 2005-2006, including steps to ensure the orderly transition of the Center's operations in July 2006 to an operator selected through the pending Request for Proposal (RFP) process.
2. Adopt a resolution:
  - A. Authorizing the City Manager to negotiate and execute a reimbursement agreement with Fil-Am SODC in an amount not to exceed \$110,000 in Healthy Neighborhoods Venture Funds (HNVF) for eligible services provided at the Jacinto "Tony" Sequig Northside Community Center (Center) for the period July 1, 2005 through June 30, 2006, provided that the City has received requested information and materials no later than 12:00 pm (noon) on March 30, 2006, and that such information is acceptable to the City Manager.
  - B. Authorizing the City Manager to extend offers of employment to key Fil-Am SODC employees involved in providing direct services at the Center as Temporary Unclassified employees with the City in the event that the March 30, 2006 deadline is not met or the information is unacceptable as submitted.

## **OUTCOME**

Approval of staff recommendation would ensure the continuation of service delivery for the remainder of the fiscal year at the Jacinto "Tony" Siquig Northside Community Center through either reimbursable service agreements with the existing operator or the employment of direct service personnel as temporary unclassified employees of the City.

## **BACKGROUND**

On December 13, 2005, the City Council directed staff to assume operational responsibility of the Jacinto "Tony" Siquig Northside Community Center effective January 1, 2006 and to ensure continued quality programming. The Department of Parks, Recreation and Neighborhood Services was directed to complete an expedited process to identify an alternative operator for the facility by June 30, 2006. The RFP was released on March 6, 2006, and a new operator is expected to be selected in June. For the interim period, the City Council directed staff to enter into a month-to-month, Cost Reimbursement Agreement with Fil-Am SODC to provide HNVF-approved services at the Center.

On March 16, 2006, the Making Government Work Better Committee (MGWB) directed staff to clarify and provide information on recommendations made at the MGWB meeting for discussion at the March 28, 2006 City Council meeting. This item was deferred to the April 4, 2006 Council meeting. The purpose of this memorandum is to advise the Council of the current status of the work with Fil-Am SODC per the request of the Making Government Work Better Committee.

## **ANALYSIS**

The City assumed operational responsibility of the site effective January 2006. City staff has been meeting with Fil-Am SODC staff to resolve outstanding agreement issues and to execute a Cost Reimbursement Agreement per Council's direction. At this point, Fil-Am SODC continues to occupy the building without a lease agreement and has failed to return original and duplicate keys as requested.

On March 15, 2006, City staff met with representatives of Fil-Am SODC to discuss the terms of a proposed Cost Reimbursement Agreement. Staff has been in contact with Fil-Am SODC numerous times since that meeting. Staff has recommended the following terms:

1. Fil-Am SODC shall receive reimbursement for direct services personnel costs associated with providing eligible HNVF services to youth, seniors, and veterans at the Jacinto "Tony" Sequig Northside Community Center for the period July 1, 2005, through June 30, 2006, upon the submission of appropriate documentation and approval by City staff. Costs associated with Fil-Am SODC employees with the following classifications are eligible for reimbursement: Veterans/Senior Services Coordinators, Youth Services Coordinator and Veterans/Seniors Case Managers.

2. Reimbursement shall be based upon review and approval of supporting documentation and submission by the due date for each period specified below:

**Reimbursement Period**

**Due Date**

a. July 1, 2005 through February 28, 2006

March 30, 2006

b. March 1, 2006 through June 30, 2006 (monthly)

10<sup>th</sup> of the following month

3. City shall make reasonable desk space available to direct service staff so that they can continue in the efficient delivery of services.
4. Fil-Am SODC shall return all original and duplicate keys on or before March 30, 2006.
5. Access to the Center by Fil-Am SODC shall be restricted to the regular Center days and hours of operation. Any activity conducted after hours shall be subject to the City's Facility Use Standards and Fees.
6. Accept a Building Exit Strategy no later than March 30, 2006 that would provide for the progressive removal of Fil-Am SODC property. Removal of property shall be completed by June 1, 2006 with the exception of those items required by Fil-Am SODC to operate program from June 1, 2006 to June 30, 2006. Removal of the remaining property shall be completed by June 30, 2006.

A deadline of March 30, 2006 was set for Fil-Am SODC to submit supporting documentation for personnel expenses incurred for the period July 1, 2005 through February 28, 2006 as well as the submission of facility keys.

If the requested information and keys are received, the City is prepared to proceed with the execution of an agreement with Fil-Am SODC for the reimbursement of documented costs related to personnel who provided direct services during the period July 1, 2005 through February 28, 2006. In addition, the City is prepared to issue two-party checks on a monthly basis to Fil-Am SODC employees upon submission and approval of required documentation by the 10<sup>th</sup> day of the following month for the period March 1, 2006 through June 30, 2006.

In the event that Fil-Am SODC fails to submit the required documentation by the established deadline in a manner that is acceptable to the City Manager, the City would not execute an agreement, but would be prepared to extend offers of employment to key Fil-Am SODC staff, who provide direct services, as temporary-unclassified employees for the period April 3, 2006 through June 30, 2006. Moreover, if Fil-Am SODC fails to comply with the proposed terms by the established deadline, it is staff's recommendation that the City give a 30-day notice and undertake the necessary actions to effect the exit of Fil-Am SODC from the Center.

### **CONCLUSION**

PRNS continues to work with Fil-Am SODC per the Council's direction. If the March 30, 2006 deadline is not met, it is recommended that no agreement be executed, that employment offers as temporary-unclassified employees are made to key Fil-Am SODC employees that provide direct service in order to maintain service delivery, and that necessary actions be taken to facilitate the removal of Fil-Am SODC from the Center.

### **PUBLIC OUTREACH**

City Staff met with representatives of Fil-Am SODC on March 15 and 17, 2006, to discuss the terms of the reimbursement agreement. Community representatives from the Friends of the Northside Community Center, La Raza Roundtable and the NAACP were present along with representatives of Fil-Am SODC. City staff is working with diverse community members, including the Mabuhay Seniors and Fil-Am SODC to form a Program Advisory Committee to assist in the development of future, more community-inclusive programming at the center.

### **COORDINATION**


This memo was coordinated with the City Attorney's Office and the City Manager's Office.

### **COST IMPLICATIONS**

All costs associated with this memo have been appropriated under the Healthy Neighborhoods Venture Fund.

### **CEQA**

Not a project.

  
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and Neighborhood Services  
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